

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LAWRENCE H. GRESS, and on behalf of
himself and others similarly situated,

Plaintiff,

v.

COMMONWEALTH EDISON COMPANY,
an Illinois corporation; and EXELON
CORPORATION,

Defendants.

Case No. 1:20-cv-04405

Hon. Jorge L. Alonso

ORAL ARGUMENT REQUESTED

STEVEN BROOKS, DAVID CHAVEZ, 1540
N. MILWAUKEE LLC d/b/a DSTRKT BAR &
GRILL, and CARMICHAEL LEASING CO.,
INC., for themselves individually and for all
class members similarly situated,

Plaintiffs,

v.

COMMONWEALTH EDISON COMPANY,
d/b/a ComEd and EXELON CORPORATION,

Defendants.

Case No. 1:20-cv-04555

SOUTH BRANCH LLC, TFO GOLUB
BURNHAM LLC, d/b/a THE BURNHAM
CENTER, TFO GOLUB IT 2.0 LLC, d/b/a
INTERNATIONAL TOWER, and
ROCKWELL ON THE RIVER LLC, for
themselves individually and for all class
members similarly situated,

Plaintiffs,

v.

COMMONWEALTH EDISON COMPANY
d/b/a ComEd; and EXELON CORPORATION,

Defendants.

Case No. 1:20-cv-04980

CITIZENS UTILITY BOARD,

Plaintiff,

v.

COMMONWEALTH EDISON COMPANY,
an Illinois corporation,

Defendant.

Case No. 1:20-cv-04405

**DEFENDANTS COMMONWEALTH EDISON COMPANY
AND EXELON CORPORATION'S MOTION TO DISMISS CLASS PLAINTIFFS'
CONSOLIDATED CLASS ACTION COMPLAINT AND CITIZENS UTILITY BOARD'S
COMPLAINT**

For the reasons provided in the accompanying memorandum of law, Defendants Commonwealth Edison Company and Exelon Corporation, by and through their undersigned attorneys, and pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby move this Court to dismiss Class Plaintiffs' Consolidated Class Action Complaint, Dkt. 75, and Citizens Utility Board's Complaint, Dkt. 76, with prejudice.

Dated: February 4, 2021

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Respectfully submitted,

/s/ Terrence J. Truax

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*Counsel for Defendants
Commonwealth Edison Company and
Exelon Corporation*

CERTIFICATE OF SERVICE

I, Terrence J. Truax, an attorney, certify that I caused copies of the foregoing **Defendants Commonwealth Edison Company and Exelon Corporation's Motion To Dismiss Class Plaintiffs' Consolidated Class Action Complaint and Citizens Utility Board's Complaint** to be served on all counsel of record via the Court's electronic filing system.

/s/ Terrence J. Truax

*Counsel for Defendants Commonwealth Edison
Company and Exelon Corporation*